

SEP 10 2002

TECH PATENT 1600/2906



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98-554)

In the Application of:

De Vringer, et al.

Serial No. 09/155,605

Filing Date: September 29, 1998

For: Instant Vesicular Product

Examiner: G. Kishore

Group Art Unit: 1615

Confirmation No.: 8895

RESPONSE TO THE OFFICE ACTION MAILED MARCH 29, 2002

Box Response
Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully submit the following remarks in response to the Office Action mailed March 29, 2002.

REMARKS

1. Claim Rejections under 35 U.S.C. § 103

The Office Action rejects claims 1-19 under 35 U.S.C. 103(a) on the assertion that they are unpatentable over EP 0 521 562 in view of EP 0 678 295, EP 0 159 237, GB 2002319, JP 05194253 by themselves or in combination. The Applicants respectfully traverse this assertion.

In order to establish a prima facie case of obviousness, three basic criteria must be met (MPEP 706.07(j)): the prior art must teach or suggest all the claim limitations, there must be some suggestion or motivation to modify the reference or to combine reference teachings, and there must be a reasonable expectation of success.

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, Washington D.C. 20231, on August 29, 2002.

Date: August 29, 2002

Michael S. Greenfield